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ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Human rights and unilateral coercive measures

Report of the Secretary-General

Addendum

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Introduction

As of 8 January 2002, a reply had been received from the Government of Cuba. That reply is reproduced below.

REPLY RECEIVED FROM GOVERNMENTS

Cuba

[Original: Spanish]
[4 January 2002]

1. The Government of the Republic of Cuba attaches particular importance to the consideration of the item entitled "Human rights and unilateral coercive measures" by the Commission on Human Rights. Consequently, every year Cuba joins the group of States that co-sponsor the initiative condemning the application of unilateral coercive measures, essentially against developing countries.

2. In the opinion of the Government of Cuba, the application of unilateral coercive measures as a means of political and economic compulsion is an attack on the integrity of the State concerned and on its political, economic and cultural components. It also affects them in other sensitive areas such as the enjoyment of human rights by the peoples subjected to such unilateral policies. Experience shows that the primary victims of coercive economic measures are vulnerable population groups, particularly children, women, older persons and disabled persons.

3. The Commission on Human Rights has stated repeatedly that the application of unilateral coercive economic measures has a negative impact on the socio-economic indices of developing countries and prevents peoples subjected to such measures from fully enjoying their human rights.

4. The international community has systematically rejected the application of this policy, considering it to be a flagrant violation of the principles, goals and norms governing international trade. Provisions such as those contained in the Torricelli Act and the Helms-Burton Act adopted in the United States are incompatible with World Trade Organization (WTO) agreements and undermine efforts to make the multilateral trading system more equitable, secure, non-discriminatory, transparent and predictable.

5. The aforementioned laws are part of a criminal, genocidal policy of blockade imposed on Cuba by the United States for over 40 years, a policy which has been systematically and overwhelmingly condemned by the States Members of the United Nations. The harm done

to the Cuban people has been fully documented by the Cuban authorities and non-governmental organizations, and published in successive reports of the Secretary-General to the United Nations General Assembly and the Commission on Human Rights.

6. The strategic objective of the blockade imposed by the United States on Cuba is the destruction of the process of political, social and economic change undertaken by the Cuban people in the exercise of its right to self-determination.

7. Ten successive presidents of the United States, members of the United States Congress, federal agencies, civil servants and unofficial agents of the United States have resorted to all kinds of political, economic and military action against the Cuban people, including diplomatic isolation plans, manipulation through propaganda, encouragement of defection and illegal emigration, espionage, economic warfare and various forms of aggression, including the encouragement of subversion, recourse to terrorism and economic sabotage, biological warfare, the encouragement of armed groups to attack our territory, the organization of hundreds of plans to assassinate top Cuban government leaders, military harassment and blockade, the threat of nuclear extermination and even direct aggression by a mercenary army.

8. These practices blatantly contravene the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in the annex to General Assembly resolution 2625 (XXV) of 24 October 1970, which provides, inter alia, that "No State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind".

9. The use of a vast arsenal of economic and political instruments, converted into weapons of aggression through the extraterritorial nature of its provisions and their application to third countries and through their unfulfilled objective of breaking down the Cuban people's resistance by causing all kinds of shortages, disease and hunger, amounts to a veritable policy of genocide and constitutes a brutal violation of the people's right to life, well-being and development without distinction as to age, sex, race, religious beliefs, social status or political ideas.

10. The Cuban Government considers that this policy, which has failed in its objectives for over 42 years, also violates the right of free trade of sectors of the United States economic community interested in the advantages that would accrue to them from trade with Cuba. Several attempts have been made to end this unjust policy within the United States itself through bills submitted to Congress, but they have been scandalously blocked by the extreme right-wing minority in the United States and the anti-Cuban mafia-like lobby based in the State of Florida. These groups have made every effort to impede any attempt to give a more objective and realistic character to relations between the United States and Cuba.

11. It is inadmissible that, while the international community has unequivocally and systematically condemned the blockade against Cuba in successive resolutions of the General Assembly of the United Nations, the Government of the United States should continue to ignore the will of the international community by enacting new laws, measures and provisions to tighten the blockade.

12. Cuba firmly believes that today it is more important than ever that the international community should continue to condemn the use of such practices and that urgent action be taken to ensure effective compliance with the resolutions adopted by the General Assembly and the Commission on Human Rights, such as the recently adopted General Assembly resolution 56/9, in which an overwhelming majority of 167 nations once again voted for an end to the economic, commercial and financial blockade imposed by the United States on Cuba.